

REMARKS

The above amendments and the following remarks are fully and completely responsive to the Office Action dated February 9, 2005. Claims 1-6 are pending in this application with claims 1 and 6 amended by the present Amendment. In the outstanding Office Action, claims 1-6 were rejected under 35 U.S.C. § 102(e). No new matter has been added. Claims 1-6 are presented for reconsideration.

35 U.S.C. § 102(e)

Claims 1-6 were rejected under 35 U.S.C. § 102(e) as being unpatentable over McKinzie, III et al. (U.S. Patent Application Publication No. 2003/0011522, "McKinzie"). In making this rejection, the Office Action asserts that this reference teaches each and every element of the claimed invention. Applicants respectfully disagree and request reconsideration of this rejection.

Claims 1 and 6, as amended, recite in part:

...a radiation element provided on a dielectric substrate;

a grounding conductor provided on the dielectric substrate and surrounding a periphery of an outer edge portion of the radiation element at a position spaced away outwardly from the outer edge portion;

wherein the radiation element, the grounding conductor... are provided on the same surface of the dielectric substrate.

McKinzie teaches an aperture antenna having a high-impedance backing. Specifically, this reference teaches an antenna 100 that is formed from a conductive member 102 that has an aperture 104. The antenna 100 also has a high-impedance

backing 122 that includes a ground plane 116. A dielectric region 120 is placed between the high-impedance backing 122 and the conductive member 102.

The conductive member 102 is substantially rectangular and is commensurate in size with that of the high-impedance backing 122 (McKinzie, paragraph [0032]). As shown in the figures of McKinzie, the ground plane 116 does not extend beyond the outer edge of the conductive member 102.

Consequently, McKinzie fails to teach a grounding conductor provided on the dielectric substrate and surrounding a periphery of an outer edge portion of the radiation element at a position spaced away outwardly from the outer edge portion where the radiation element and the grounding conductor are provided on the same surface of the dielectric substrate.

Therefore, McKinzie fails to teach each and every element of the claimed invention. Specifically, McKinzie fails to teach and/or suggest a grounding conductor provided on the dielectric substrate and surrounding a periphery of an outer edge portion of the radiation element at a position spaced away outwardly from the outer edge portion. McKinzie also fails to teach and/or suggest that the radiation element, the grounding conductor... are provided on the same surface of the dielectric substrate. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-6 under 35 U.S.C. § 102(e).

Conclusion

Applicants' remarks have overcome the rejections set forth in the Office Action dated February 9, 2005. Specifically, Applicants' remarks have distinguished claims 1-6

from McKinzie and thus overcome the rejection of these claims under 35 U.S.C. § 102(e). Accordingly, claims 1-6 are in condition for allowance. Therefore, Applicants respectfully request consideration and allowance of claims 1-6.

Applicants submit that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner contact the undersigned attorney by telephone if it is believed that such contact will expedite the prosecution of the application.

In the event that this paper is not considered to be timely filed, Applicants respectfully petition for an appropriate extension of time.

The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 01-2300, making reference to attorney docket number 107355-00100.

Respectfully submitted,
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